United Nations A/INF/56/5

General Assembly

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Fifty-sixth session

United Nations Administrative Tribunal

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly, for their information, the attached note from the United Nations Administrative Tribunal to the President of the General Assembly.

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Annex

Annual note by the United Nations Administrative Tribunal

1. At its third plenary session, held in Paris on 20 December 1951, the Administrative Tribunal decided to submit a note each year to the President of the General Assembly. In accordance with this decision, the following note is submitted in respect of the year 2001.

A. Appointment of members of the Tribunal by the General Assembly

2. At its 51st plenary meeting, on 3 November 2000, the General Assembly, on the recommendation of the Fifth Committee (see A/55/105), appointed Omer Yousif Bireedo, Spyridon Flogaitis and Brigitte Stern as members of the United Nations Administrative Tribunal for a three-year term of office beginning on 1 January 2001.

B. Composition of the Tribunal during 2001

3. In 2001, the Tribunal was composed of the following members:

Mr. Mayer Gabay, President
Mr. Julio Barboza, First Vice-President
Mr. Kevin Haugh, Second Vice-President
Ms. Marsha A. Echols
Mr. Omer Yousif Bireedo
Mr. Spyridon Flogaitis
Ms. Brigitte Stern

C. Fifty-second plenary session

4. The Tribunal met in annual plenary session in New York on 22 October 2001, pursuant to article 5, paragraph 1, of its rules. All members were present except for Mr. Spyridon Flogaitis and Ms. Brigitte Stern.

D. Judgements delivered during 2001

5. In 2001, the Tribunal held two sessions, one in Geneva from 25 June to 27 July and one in New York from 22 October to 30 November. The composition of the panels and the corresponding judgements rendered are as follows:

Case No. 881: Everett

(Everett against the Secretary-General of the United Nations)
(Request by UNDP staff member for revision of Judgement No. 812.)
Judgement AT/DEC/1017

New York, 25 October to 20 November 2001

Mr. Gabay, President
Ms. Echols
Ms. Stern

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Case No. 883: Xu

(Xu against the Secretary-General of the United Nations)
(Request by former staff member for revision of Judgement No. 796.)
Judgement AT/DEC/1013

New York, 25 October to 20 November 2001

Mr. Barboza, presiding
Mr. Bireedo
Ms. Stern

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Case No. 896: Baccouche

(Baccouche against the Secretary-General of the United Nations)
(Request by former member for revision of Judgement No. 896.)
Judgement AT/DEC/998

Geneva, 26 June to 23 July 2001

Mr. Gabay, President
Mr. Barboza
Mr. Bireedo

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Case No. 959: Facchin

(Facchin against the Secretary-General of the United Nations)
(Request by former member for revision of Judgement No. 919.)
Judgement AT/DEC/995

Geneva, 27 June to 23 July 2001

Mr. Gabay, President
Mr. Haugh
Mr. Bireedo

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Case No. 985: Ayoub

(Ayoub against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA))
(Request by UNRWA former staff member for revision of Judgement No. 889.)
Judgement AT/DEC/992

Geneva, 26 June to 13 July 2001

Mr. Gabay, President
Mr. Haugh
Ms. Stern

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Case No. 992: Ziadeh

(Ziadeh against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA))
(Request by UNRWA former staff member for revision of Judgement No. 906.)
Judgement AT/DEC/996

Geneva, 27 June to 23 July 2001

Mr. Haugh, presiding
Mr. Bireedo
Mr. Flogaitis

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Case No. 1001: Al-Ansari
Case No. 1004: Zarra and Khalil
Case No. 1015: Abdulhadi et al.

(Al-Ansari, Zarra and Khalil and Abdulhadi et al. against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA))
(Request by former UNRWA staff members for revision of Judgements No. 926, No. 928 and No. 929)
Judgement AT/DEC/1014

New York, 23 October to 20 November 2001

Mr. Barboza, presiding
Mr. Haugh
Ms. Stern

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Case No. 1038: Okuome

(Okuome against the Secretary-General of the United Nations)
(Claim by former UNICEF staff member for rescission of the decision to summarily dismiss him for serious misconduct.)
Judgement AT/DEC/994

Geneva, 2 to 16 July 2001

Mr. Gabay, President
Ms. Echols
Ms. Stern

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Case No. 1042: Levy

(Levy against the Secretary-General of the United Nations)
(Claim by former United Nations staff member for rescission of the decision to separate him from service in accordance with Staff Rule 110.3 (vii).)
Judgement AT/DEC/1034

New York, 2 to 27 November 2001

Mr. Gabay, President
Mr. Haugh
Mr. Bireedo

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Case No. 1047: Loh

(Loh against the Secretary-General of the United Nations)
(Claim by former staff member that he was denied proper consideration for promotion.)
Judgement AT/DEC/1008

Geneva, 28 June to 26 July 2001

Mr. Barboza, presiding
Mr. Haugh
Mr. Bireedo

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Case No. 1052: Miranda

(Miranda against the Secretary-General of the United Nations)
(Claim by former staff member for reimbursement of United States income taxes paid on lump sum payments from UNJSPF.)
Judgement AT/DEC/1001

Geneva, 26 June to 23 July 2001

Mr. Haugh, presiding
Ms. Echols
Mr. Flogaitis

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Case No. 1053: Capote

(Capote against the Secretary-General of the United Nations)
(Claim by former UNICEF staff member for rescission of the decision to summarily dismiss her for serious misconduct and violations of standards of integrity required of international civil servants.)
Judgement AT/DEC/1004

Geneva, 29 June to 26 July 2001

Mr. Gabay, President
Ms. Echols
Ms. Stern

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Case No. 1054: Bangoura

(Bangoura against the Secretary-General of the United Nations)
(Claim by former staff member for rescission of the decision to place him on special leave with full pay and not to renew his fixed-term appointment.)
Judgement AT/DEC/1029

Geneva, 6 to 26 July 2001

New York, 1 to 21 November 2001

Mr. Barboza, presiding
Mr. Flogaitis
Ms. Stern

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Case No. 1056: Jensen

(Jensen against the Secretary-General of the United Nations)
(Claim by former United Nations staff member for rescission of the decision not to renew his fixed-term appointment.)
Judgement AT/DEC/1030

Geneva, 29 June to 26 July 2001

New York, 26 October to 21 November 2001

Mr. Barboza, presiding
Mr. Haugh
Ms. Stern

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Case No. 1061: Conde Estua

(Conde Estua against the Secretary-General of the United Nations)
(Claim by widow of former UNHCR staff member to recognize her as sole wife and legitimate beneficiary of deceased staff member.)
Judgement AT/DEC/1041

New York, 5 to 30 November 2001

Mr. Gabay, President
Mr. Bireedo
Ms. Stern

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Case No. 1070: Coury et al.

(Coury et al. against the Secretary-General of the United Nations)
(Claim by staff members for rescission of the decision that their appeal relating to their agreed separation was time-barred.)
Judgement AT/DEC/999

Geneva, 4 to 23 July 2001

Mr. Gabay, President
Mr. Bireedo
Ms. Stern

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Case No. 1077: Sergienko

(Sergienko against the Secretary-General of the United Nations)
(Claim by United Nations staff member for rescission of the decision to demote her without possibility of promotion for three years)
Judgement AT/DEC/1023

New York, 30 October to 21 November 2001

Mr. Barboza, presiding
Ms. Echols
Mr. Flogaitis

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Case No. 1081: Munansangu

(Munansangu against the Secretary-General of the United Nations)
(Claim by former staff member for rescission of the decision to summarily dismiss him for serious misconduct and conduct unbecoming an international civil servant.)
Judgement AT/DEC/993

Geneva, 29 June to 13 July 2001

Mr. Gabay, President
Mr. Bireedo
Mr. Flogaitis

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Case No. 1093: Baldwin

(Baldwin against the Secretary-General of the United Nations)
(Claim by former staff member for non-reimbursement of travel expenses.)
Judgement AT/DEC/1012

New York, 31 October to 21 November 2000

Geneva, 4 to 27 July 2001

Mr. Gabay, President
Mr. Barboza
Ms. Echols

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Case No. 1094: Ibekwe

(Ibekwe against the Secretary-General of the United Nations)
(Claim by UNHCR staff member for rescission of the decision to censure her for allegedly defamatory remarks made to a colleague.)
Judgement AT/DEC/1002

Geneva, 10 to 26 July 2001

Mr. Gabay, President
Ms. Echols
Mr. Flogaitis

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Case No. 1095: Lorgé

(Lorgé against the Secretary-General of the United Nations)
(Claim by former UNDP staff member that he was coerced into signing an early separation package.)
Judgement AT/DEC/1005

Geneva, 27 June to 26 July 2001

Mr. Barboza, presiding
Ms. Echols
Ms. Stern

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Case No. 1096: Sangoyo

(Sangoyo against the Secretary-General of the United Nations)
(Claim by former UNDP staff member for rescission of the decision to terminate his appointment without notice or compensation in lieu thereof.)
Judgement AT/DEC/1019

New York, 29 October to 20 November 2001

Mr. Gabay, President
Ms. Echols
Mr. Flogaitis

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Case No. 1097: Fahoum

(Fahoum against the Secretary-General of the United Nations)
(Claim by former UNEP staff member for rescission of the decision not to renew her contract on the grounds that she and her supervisor had irreconcilable differences.)
Judgement AT/DEC/1018

Geneva, 6 to 26 July 2001
New York, 31 October to 20 November 2001

Mr. Haugh, presiding
Mr. Bireedo
Ms. Stern

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Case No. 1098: Quddus

(Quddus against the Secretary-General of the United Nations)
(Claim by former UNICEF staff member for rescission of the decision to terminate his appointment.)
Judgement AT/DEC/1036

New York, 30 October to 29 November 2001

Mr. Haugh, presiding
Ms. Echols
Ms. Stern

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Case No. 1099: Shasha'a

(Shasha'a against the Secretary-General of the United Nations)
(Claim by former UNDP staff member for rescission of the decision not to renew her fixed-term appointment on the basis of unsatisfactory performance.)
Judgement AT/DEC/1003

Geneva, 5 to 26 July 2001

Mr. Haugh, presiding
Ms. Echols
Mr. Bireedo

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Case No. 1100: Langer

(Langer against the Secretary-General of the United Nations)
(Claim by former staff member for rescission of the decision not to provide termination notice; pay termination indemnity; or renew his appointment.)
Judgement AT/DEC/1000

Geneva, 5 to 23 July 2001

Mr. Barboza, presiding
Ms. Echols
Mr. Bireedo

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Case No. 1101: Hzayyen

(Hzayyen against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA))
(Claim by former UNRWA staff member for rescission of the decision to summarily dismiss her for misconduct.)
Judgement AT/DEC/1020

Geneva, 28 June to 26 July 2001

New York, 1 to 20 November 2001

Mr. Haugh, presiding
Ms. Echols
Mr. Flogaitis

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Case No. 1102: Uspensky

(Uspensky against the Secretary-General of the United Nations)
(Claim by United Nations staff member for rescission of the decision not to grant him a career appointment.)
Judgement AT/DEC/1040

New York, 23 October to 30 November 2001

Mr. Haugh, presiding
Ms. Echols
Mr. Bireedo

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Case No. 1103: Byrne Saylam

(Byrne Saylam against the Secretary-General of the United Nations)
(Claim by former United Nations staff member for rescission of the decision not to extend his appointment beyond retirement age.)
Judgement AT/DEC/1038

New York, 5 to 29 November 2001

Mr. Gabay, President
Mr. Bireedo
Ms. Stern

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Case No. 1105: Rahman

(Rahman against the Secretary-General of the United Nations)
(Claim by former UNDP staff member for rescission of the decision to terminate his appointment.)
Judgement AT/DEC/1032

New York, 7 to 23 November 2001

Mr. Gabay, President
Ms. Echols
Mr. Flogaitis

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Case No. 1107: Zaied

(Zaied against the Secretary-General of the United Nations)
(Request by United Nations staff member for payment of daily subsistence allowance in addition to post adjustment and assignment grant already paid.)
Judgement AT/DEC/1028

New York, 5 to 21 November 2001

Mr. Barboza, presiding
Mr. Flogaitis
Ms. Stern

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Case No. 1108: Wilson

(Wilson against the Secretary-General of the United Nations)
(Claim by former staff member for rescission of the decision to abolish his post.)
Judgement AT/DEC/1007

Geneva, 2 to 26 July 2001

Mr. Barboza, presiding
Ms. Flogaitis
Ms. Stern

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Case No. 1109: Van der Graaf

(Van der Graaf against the Secretary-General of the United Nations)
(Claim by former staff member for rescission of the decision to demote him for "abuse of authority".)
Judgement AT/DEC/997

Geneva, 5 to 23 July 2001

Mr. Gabay, President
Ms. Echols
Mr. Flogaitis

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Case No. 1111: Auderset

(Auderset against the Secretary-General of the United Nations)
(Claim by former UNHCR staff member for rescission of the decision not to renew his fixed-term appointment.)
Judgement AT/DEC/1024

New York, 6 to 21 November 2001

Mr. Barboza, presiding
Mr. Bireedo
Mr. Flogaitis

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Case No. 1112: Lascu

(Lascu against the Secretary-General of the United Nations)
(Claim by former UNDP staff member for reimbursement of monies paid to Romanian mission ("double taxation") when he was on secondment to the United Nations.)
Judgement AT/DEC/1021

New York, 24 October to 21 November 2001

Mr. Gabay, President
Mr. Barboza
Ms. [illegible]ols

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Case No. 1117: Iddi

(Iddi against the Secretary-General of the United Nations)
(Claim by former UNDP staff member for rescission of the decision to summarily dismiss her for serious misconduct.)
Judgement AT/DEC/1011

Geneva, 3 to 27 July 2001

Mr. Gabay, President
Ms. Echols
Ms. Stern

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Case No. 1118: Makil

(Makil against the Secretary-General of the United Nations)
(Claim by former staff member for rescission of the decision to place him on special leave with full pay until retirement.)
Judgement AT/DEC/1009

Geneva, 2 to 26 July 2001

Mr. Haugh, presiding
Mr. Bireedo
Mr. Flogaitis

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Case No. 1119: Kanj
Case No. 1120: Kanj

(Kanj against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA))
(Claim by former UNRWA international staff member for rescission of the decision that his claims before the Joint Appeals Board for repatriation grant and reimbursement of shipping costs were time-barred.)
Judgement AT/DEC/1010

Geneva, 11 to 26 July 2001

Mr. Barboza, presiding
Ms. Echols
Mr. Flogaitis

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Case No. 1123: Shamsi

(Shamsi against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA))
(Claim by former UNRWA staff member for rescission of the decision to terminate his services at the end of his probation in the interest of the Agency.)
Judgement AT/DEC/991

Geneva, 3 to 13 July 2001

Mr. Haugh, presiding
Mr. Bireedo
Ms. Stern

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Case No. 1124: Araim

(Araim against the Secretary-General of the United Nations)
(Claim by former United Nations staff member for rescission of the decision to terminate his appointment with compensation in lieu of notice.)
Judgement AT/DEC/1022

New York, 30 October to 21 November 2001

Mr. Barboza, presiding
Ms. Echols
Mr. Flogaitis

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Case No. 1126: Igwebe

(Igwebe against the Secretary-General of the United Nations)
(Claim by United Nations staff member for compensation for failure to assign her to a post commensurate with her grade and qualifications and to promote her.)
Judgement AT/DEC/1035

New York, 29 October to 27 November 2001

Mr. Gabay, President
Mr. Haugh
Ms. Echols

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Case No. 1127: Hossain

(Hossain against the Secretary-General of the United Nations)
(Claim by former UNICEF staff member for rescission of the decision to terminate his appointment with compensation in lieu of notice.)
Judgement AT/DEC/1033

New York, 2 to 23 November 2001

Mr. Barboza, presiding
Mr. Bireedo
Mr. Flogaitis

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Case No. 1128: Bautista and Lo

(Bautista and Lo against the Secretary-General of the United Nations)
(Claim by one retired and one current United Nations staff member for rescission of the decision to impose written censure upon them.)
Judgement AT/DEC/1037

New York, 31 October to 29 November 2001

Mr. Gabay, presiding
Mr. Bireedo
Ms. Stern

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Case No. 1129: Klein

(Klein against the Secretary-General of the United Nations)
(Claim by former United Nations staff member for rescission of the decision to override the recommendations of the Appointment and Promotion Board and select an alternative candidate for D-1 post.)
Judgement AT/DEC/1031

New York, 1 to 21 November 2001

Mr. Gabay, presiding
Mr. Haugh
Mr. Flogaitis

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Case No. 1130: Sturdza

(Sturdza against the Secretary-General of the United Nations)
(Claim by former UNICEF staff member for rescission of the decision not to renew her fixed-term appointment.)
Judgement AT/DEC/1026

New York, 6 to 21 November 2001

Mr. Barboza, presiding
Mr. Haugh
Mr. Flogaitis

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Case No. 1132: Shah

(Shah against the Secretary-General of the United Nations)
(Claim by former UNICEF staff member for rescission of the decision to terminate his permanent appointment.)
Judgement AT/DEC/1039

New York, 26 October to 29 November 2001

Mr. Gabay, President
Ms. Echols
Mr. Bireedo

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Case No. 1133: Odeh

(Odeh against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA))
(Claim by former UNRWA staff member for rescission of the decision to terminate his services for misconduct under Area staff regulation 10.2.)
Judgement AT/DEC/1027

New York, 24 October to 21 November 2001

Mr. Barboza, presiding
Mr. Haugh
Ms. Echols

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Case No. 1136: Walton

(Walton against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA))
(Claim by United Nations staff member on secondment to UNRWA for compensation for losses incurred during shipment of household effects.)
Judgement AT/DEC/1025

New York, 6 to 21 November 2001

Mr. Barboza, presiding
Mr. Haugh
Ms. Echols

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Case No. 1140: Inggs

(Inggs against the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA))
(Claim by former UNRWA international staff member for rescission of the decision not to reabsorb her into her former position or to pay her termination indemnity.)
Judgement AT/DEC/1006

Geneva, 28 June to 26 July 2001

Mr. Gabay, presiding
Mr. Barboza
Mr. Flogaitis

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Case No. 1143: Baruch-Smith
Case No. 1144: Baruch-Smith

(Baruch-Smith against the Secretary-General of the United Nations)
(Claim by UNICEF staff member for rescission of the decision not to accept recommendations of Panel on Discrimination and Other Grievances, her doctors or her legal representative.)
Judgement AT/DEC/1015

New York, 30 October to 20 November 2001

Mr. Gabay, President
Mr. Bireedo
Mr. Flogaitis

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Case No. 1148: Gharsellaoui

(Gharsellaoui against the Secretary-General of the United Nations)
(Claim by UNOG staff member that he was the subject of discrimination while on secondment, and that his promotions to the G-3 and G-4 levels were delayed.)
Judgement AT/DEC/1016

New York, 7 to 20 November 2001

Mr. Gabay, President
Mr. Haugh
Mr. Flogaitis